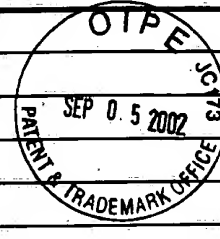


+ #22

<h2 style="margin: 0;">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</h2> <p style="margin: 5px 0;">Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.</p> <p style="margin: 0;">See The American Inventors Protection Act of 1999 (AIPA).</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Express Mail No.</td> <td>EL 500 575 856 US</td> </tr> <tr> <td>Application Number</td> <td>09/161,122</td> </tr> <tr> <td>Filing Date</td> <td>September 25, 1998</td> </tr> <tr> <td>First Named Inventor</td> <td>JIN, H.</td> </tr> <tr> <td>Group Art Unit</td> <td>1642 <i>1642</i></td> </tr> <tr> <td>Examiner Name</td> <td>Brumback, B. <i>Lucas</i></td> </tr> <tr> <td>Attorney Docket Number</td> <td>7682-045-999</td> </tr> </table>	Express Mail No.	EL 500 575 856 US	Application Number	09/161,122	Filing Date	September 25, 1998	First Named Inventor	JIN, H.	Group Art Unit	1642 <i>1642</i>	Examiner Name	Brumback, B. <i>Lucas</i>	Attorney Docket Number	7682-045-999
Express Mail No.	EL 500 575 856 US														
Application Number	09/161,122														
Filing Date	September 25, 1998														
First Named Inventor	JIN, H.														
Group Art Unit	1642 <i>1642</i>														
Examiner Name	Brumback, B. <i>Lucas</i>														
Attorney Docket Number	7682-045-999														



This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
  - a. ☐ Previously submitted
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☒ Other Petition for Extension of Time for 4 months; Petition to Accept Unintentionally Delayed Claim for Priority under 37 C.F.R. 1.78(a)(3); Request to Correct Inventorship under 37 C.F.R. 1.48(a); Submission of Substitute Sequence Listing; Submission of Formal Drawings
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 740.00
    - ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ \_\_\_\_\_ for a \_\_\_\_\_ month extension, the request for which is being made herewith
    - iii. ☐ Other \_\_\_\_\_
  - b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Laura A. Coruzzi <i>by Jacqueline B...</i>	Registration No. (Attorney/Agent) 30,742	
Signature	<i>Laura A. Coruzzi</i> Reg. No. <i>43,492</i>	Date	September 5, 2002

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or by facsimile transmitted to fax no. 1-703- _____ to the U.S. Patent and Trademark Office on the date indicated below.			
Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

09/11/2002 AWONDAF1 00000145 161150 09161122

04 FC:179

740.00 CH



Express Mail No.: EL 500 575 856 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: JIN et al.

Application No.: 09/161,122

Group Art Unit: 1642

Filed: September 25, 1998

Examiner: Brumback, B.

For: RECOMBINANT RSV  
EXPRESSION SYSTEMS AND  
VACCINES

Attorney Docket No.: 7682-045-999

FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents  
Washington, D.C. 20231

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SEP 11 2002

OFFICE OF PETITIONS

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.

The claim amendment fee has been estimated as shown below:

(Col. 1)			(Col. 2)			(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY				
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO PREVIOUSLY PAID FOR			PRESENT EXTRA		RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE		
TOTAL	5	MINUS	27	=	0	×	9	\$			×	18	\$	0.00
INDEP.	2	MINUS	7	=	0	×	42	\$			×	84	\$	0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM							140	\$			280	\$		
							TOTAL	\$		OR	TOTAL	\$		0.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.  
A copy of this sheet is enclosed.

Date September 5, 2002

Respectfully submitted,

by: *Jacqueline Benn*  
*Laura A. Coruzzi*  
Laura A. Coruzzi (Reg. No.)  
Reg No. 43,492  
38,742

PENNIE & EDMONDS LLP  
1155 Avenue of Americas  
New York, N.Y. 10036-2711  
(212) 790-9090

Enclosure



Express Mail No.: EL 500 575 856 US

#20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: JIN et al.

Serial No.: 09/161,122

Group Art Unit: 1642

Filed: September 25, 1998

Examiner: Brumback, B.

For: RECOMBINANT RSV EXPRESSION  
SYSTEMS AND VACCINES

Attorney Docket No.: 7682-045-999

REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48 (a)

Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

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SEP 11 2002  
OFFICE OF PETITIONS

SIR:

It is respectfully requested that the inventorship of the above-identified patent application be corrected under 37 C.F.R. § 1.48(a) to further include the name of David Kirkwood Clarke, whose residence is 3205 Whispering Hills, Chester, New York 10918, and Peter Palese, whose residence is 414 Highwood Avenue, Leonia, New Jersey 07065, as co-inventors of the claims in the instant patent application. Applicants concurrently submit herewith (1) a Statement in Support of Correction of Inventorship; (2) an executed Declaration by the actual inventors; and (3) a Consent by Assignee to Correction of Inventorship.

The name of David Kirkwood Clarke and Peter Palese were omitted in the instant patent application through error and without any deceptive intention on the part of the omitted inventor. Thus, the inventorship of the claims in the instant patent application should be corrected to include the names of David Kirkwood Clarke and Peter Palese.

09/11/2002 AWONDAF1 00000145 161150 09161122  
02 FC:122 130.00 CH

Pursuant to 37 C.F.R. § 1.48(a) and § 1.17(i), it is believed that a fee of \$130.00 is due for submission of this request. Please charge the required fee to Pennie and Edmonds LLP Deposit Account Number 16-1150; a duplicate of this sheet is enclosed.

Respectfully submitted,

by *Jacqueline Benn*  
Reg No. 43,492

Date: September 5, 2002

*Laura A. Coruzzi* 30,742  
Laura A. Coruzzi (Reg. No.)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, NY 10036-2711  
Telephone: (212) 790-9090

Enclosures

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**SEP 11 2002**

**OFFICE OF PETITIONS**



Express Mail No.: EL 500 575 856 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*23*

In re Application of: JIN et al.

Application No.: 09/161,122

Group Art Unit: 1642

Filed: September 25, 1998

Examiner: Brumback, B.

For: RECOMBINANT RSV  
EXPRESSION SYSTEMS AND  
VACCINES

Attorney Docket No.: 7682-045-999

**TRANSMITTAL OF FORMAL DRAWINGS**

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
(BOX PCT)  
Washington, D.C. 20231

SIR/MADAM:

Applicants submit herewith 12 sheets of 12 formal figures to be substituted for the informal figures previously submitted in the above-identified application.

Respectfully submitted, *by Jacqueline Ben*

*Laura A. Coruzzi* *Reg. No. 43,492*  
30,742  
Laura A. Coruzzi (Reg. No.)

Date September 5, 2002

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